

REMARKS

In an Office Action mailed March 21, 2005, the Examiner rejected claims 15-37, 51 and 52 as being anticipated by or made obvious over U.S. Patent No. 5,531,731 to Brusky. Applicants submit that the claims clearly distinguish Brusky for at least the following reasons.

Claims 15 and 28:

Claim 15 now recites “*a single* fastening member comprising at least two independently moveable and *integrally formed* tab members each having an engagement portion independently releasably and refastenably engaging said front body panel,” and further that the “fastening member comprises *a portion fixedly secured to at least one of said front and rear body panels.*” Claim 28 recites a “fastening member comprising *a single carrier member* defining at least two independently moveable and *integrally formed tab members* extending laterally inward in the same direction from the same one of said side edges of said body panel and an engagement portion disposed on each of said tab members.”

In contrast, Brusky discloses three *separate* fastening members 26, each one having a tab member. There is no disclosure or suggestion in Brusky to make a single fastening member, or carrier member thereof, having integrally formed, but independently moveable tab members. Applicants further note that the front and rear body panels of Brusky do not define or otherwise form the fastening member. In particular, the tab members are not integrally formed with either body panel. In addition, claim 15 recites that the fastening member has engagement portions releasably and refastenably engaging the front body panel and a portion fixedly secured to one of the front and rear body panels.

For at least these reasons, claims 15 and 28, and the claims depending therefrom, are patentable over Brusky and notice to that effect is earnestly solicited.

Claim 20:

Claim 20 recites “a rear body panel comprising a side edge having a length *fixedly* secured to said one of said side edges of said front body panel along a seam having a length.” Brusky does not disclose in any way a front and rear body panel fixedly secured to each other along a “seam.” Applicants have further clarified that the “seam” is formed separately from the fastening member. In contrast, the only connection between the side edges of the front and rear body panels of Brusky is made by way of the fastening members, which connection is releasable. For at least these reasons, claim 20 and the claims depending therefrom are allowable over Brusky and notice to that effect is earnestly solicited.

Claims 51 and 52:

Claims 51 and 52 have been rewritten in independent form, and both recite that the “fastening member is fixedly secured to said body panel at a location proximate said one of said side edges and wherein said at least two independently moveable tab members each have a free edge *positioned laterally inward from said location and said one of said side edges of said body panel.*” In contrast, Brusky discloses that the *free edge* extends *outwardly* from the side edge of the body panel to which it is attached (see FIGS. 1, 2 and 5). Applicants note that in the storage position (FIGS. 2, 3, 4 and 6), the fasteners do not releasably engage the body panel, but rather the interior tape member 48 of the fastener itself (Col. 4, lines 17-30, Col. 5, lines 23-26, 52-54). For at least these reasons, claims 51 and 52 and the claims depending therefrom are allowable over Brusky and notice to that effect is earnestly solicited.

New claims 53 and 54 depend from claims 51 and 52 and further define over Brusky. For example, even in the storage position, the fastener members releasably engage a *bodyside* surface of the interior tape member 48.

Conclusion:

For all of these reasons, Applicants submit that the claims are allowable over Brusky and notice to that effect is earnestly solicited. Applicants have enclosed a check in the amount of \$400 for the two additional independent claims. Should any additional fees be deemed appropriate, the Commissioner is hereby authorized to charge payment of any fees associated with this communication to Deposit Account No. 23-1925.

If for any reason this application is not considered to be in condition for allowance and another interview would be helpful to resolve any remaining issues, the Examiner is respectfully requested to call the undersigned attorney at (312) 321-4713.

Respectfully Submitted,


Andrew D. Stover
Reg. No. 38,629
Attorney for Applicants

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BRINKS HOFER GILSON & LIONE LTD.
Post Office Box 10395
Chicago, Illinois 60610
(312) 321-4200